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October 23, 1998

**WRITER'S DIRECT NUMBER:**  
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**Box Patent Application**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)  
Appl. No. To be assigned; Filed: Herewith  
For: **Recombinational Cloning Using Nucleic Acids Having Recombination Sites**  
Inventor(s): HARTLEY et al.  
Our Ref: 0942.2850004/RWE/BJD

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office:

1. PTO Utility Patent Application Transmittal Form (PTO/SB/05) (*in duplicate*);
2. U.S. Utility Patent Application entitled:

**Recombinational Cloning Using Nucleic Acids Having Recombination Sites**

and naming as inventors:

James L. HARTLEY  
Michael A. BRASCH  
Gary F. TEMPLE  
Donna K. FOX

Assistant Commissioner for Patents

October 23, 1998

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the application consisting of:

- a. A specification containing:
    - (i) 89 pages of description prior to the claims;
    - (ii) 10 pages of claims (51 claims);
    - (iii) a one (1) page abstract;
  - b. 58 sheets of drawings: (Figures 1, 2A-2F, 3A-3F, 4A-4F, 5A-5H, 6A-6B, 7A-7D, 8A-8K, 9A-9C, 10A-10D, 11A-11C, and 12A-12D);
  - c. A paper copy of sequence listing;
  - d. An executed Declaration;
3. PTO Fee Transmittal Form PTO/SB/17 (*in duplicate*);
4. Authorization to Treat a Reply As Incorporating An Extension of Time Under 37 C.F.R. § 1.136(a)(3) (*in duplicate*);
5. An executed Power of Attorney from Assignee;
6. A Certificate under 37 C.F.R. § 3.73(b) from Assignee with a copy of the Assignment attached;
7. A computer readable copy of the sequence listing;
8. Two (2) return postcards; and
9. Our check No. 22972 for \$ 2,686.00 to cover:

\$ 790.00 Filing fee for patent application; and  
\$ 1,896.00 Fee for excess claims.

In accordance with 37 C.F.R. § 1.821(f), the paper copy of the sequence listing and the computer readable copy of the sequence listing submitted herewith in the above application are the same.

Assistant Commissioner for Patents

October 23, 1998

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It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono  
Agent for Applicants  
Registration No. 42,473

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SKGF Rev. 9/22/98dcw



**UTILITY PATENT APPLICATION TRANSMITTAL**  
(Only for new nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No.		0942.285004/RWE/BJD
First Inventor or Application Identifier		Hartley
Title	Recombinational Cloning Using Nucleic Acids Having Recombination Sites	
Express Mail Label No.		

**APPLICATION ELEMENTS**  
See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

- \* Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
- Specification [Total Pages 100]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113) [Total Sheets 58]
- Oath or Declaration [Total Pages 3]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed;  
*[Note Box 5 below]*)
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).
- Incorporation By Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

**ACCOMPANYING APPLICATION PARTS**

8.  Assignment Papers (cover sheet & document(s))
9.  37 CFR 3.73(b) Statement  Power of Attorney (when there is an assignee)
10.  English Translation Document (if applicable)
11.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
12.  Preliminary Amendment
13.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
14.  \*Small Entity Statement(s)  Statement filed in prior application, Status still proper and desired
15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)
16.  Other: 37 C.F.R. § 1.136(a)(3) Authorization  
 Other:

\*NOTE FOR ITEMS 1 & 14: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

Continuation  Divisional  Continuation-in-Part (CIP) of prior application No: /

11/27/1998 TSUBJEE 00900011 190036 09177387 Prior application information: Examiner \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

01 FC:107 132.00 CH

**18. CORRESPONDENCE ADDRESS**

Customer Number  
or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or  Correspondence address below

NAME	STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C. Attorneys at Law				
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NAME (Print/Type)	Brian J. Del Buono	Registration No. (Attorney/Agent)	42,473
SIGNATURE	Brian J. Del Buono		
Date	October 23, 1998		

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HARTLEY et al.

Appl. No. To be assigned

Filed: Herewith

For: Recombinational Cloning Using  
Nucleic Acids Having  
Recombination Sites

U.S. PRO  
JC135 09/17/98  
10/23/98  
#2

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 0942.2850004/RWE/BJD

*#2*

Authorization To Treat A Reply As Incorporating An Extension Of Time  
Under 37 C.F.R. § 1.136(a)(3)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
  
Brian J. Del Buono  
Agent for Applicants  
Registration No. 42,473

Date: October 23, 1998

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